

REMARKS

The specification has been amended to cite the patent number of an issued patent. Claims 12, 28, and 44 have been amended. No new matter is introduced. Claims 7 - 16, 23 - 32, and 39 - 48 remain in the application.

I. Request for Statement of Exclusion Under 35. U. S. C. §103(c)

Page 2, lines 3 - 6 of the Office Action dated July 6, 2004 (hereinafter, "the Office Action") request a statement of exclusion under 35 U. S. C. §103(c) for U. S. Patents 6,584,548 (to Bourne et al.), 6,694,328 (to Bennett), and 6,718,515 (to Conner et al.). Applicants respectfully request that a showing of the relevancy of each of these patents be provided, thereby allowing Applicants to evaluate the references and the request for a statement of exclusion.

II. Rejection Under 35. U. S. C. §102(e)

Page 2, lines 12 - 26 of the Office Action state that Claims 7 - 9, 12, 23 - 25, 28, 39 - 41, and 44 are rejected under 35 U. S. C. §102(e) as being anticipated by U. S. Patent 6,721,740 to Skinner et al. (Applicants note that line 25 refers to §103(a), but believe that this is a typographical error.) This rejection is respectfully traversed.

In discussing the first limitation of independent Claims 7, 23, and 39, the Office Action states (on p. 3, lines 9 - 10) that Skinner's "client-side update management" component teaches Applicants' "update logic specifying how to update each of the stored objects ...". Applicants respectfully disagree with this characterization of Skinner. The "update management" component

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disclosed therein is used for propagating update notifications, and is not update logic (i.e., it does not specify how to update objects). See, for example, col. 16, lines 8 - 9, stating that "Client-side update management component 304A implements an active update notification scheme ..."
(emphasis added). See also col. 2, lines 55 - 58, stating that components specify interest in an object or objects "by registering with an update management component", and lines 61 - 65 of col. 2 specify that the interested component or components "receive an update notification from the update management component" (emphasis added). A number of other places in the Skinner reference are analogous, including col. 8, lines 24 - 25 and lines 33 - 35 (which also discusses a change management component that detects changes). Applicants find no teaching in Skinner that the update management component stores, or uses, "... update logic specifying how to update each of the stored objects".

Applicants therefore respectfully submit that Skinner fails to anticipate their independent Claims 7, 23, and 39. Accordingly, dependent Claims 8 - 9, 12, 24 - 25, 28, 40 - 41, and 44 are also not anticipated by Skinner. The Examiner is therefore respectfully requested to withdraw the §102 rejection.

III. Rejection Under 35 U. S. C. §103(a)

Page 5, lines 8 - 26 of the Office Action state that Claims 11, 14, 27, 30, 43, and 46 are rejected under 35 U. S. C. §103(a) as being unpatentable over Skinner in view of U. S. Patent 5,862,339 to Buannaure et al. This rejection is respectfully traversed.

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Applicants presume that the reference to Buannaure on p. 5, line 26 is a typographical error, as lines 6 - 11 of p. 6 refer instead to Perlman (U. S. Patent 5,896,444). The cited text of Perlman pertains to telephone calls. Applicants claims are not related to telephone calls, or processing thereof. Lines 4 - 8 of p. 6 of the Office Action discuss clients intermittently connecting to a network. Applicants respectfully submit that intermittent client connections do not form part of the claim language of the claims which have been rejected under 35 U. S. C. §103(a). Applicants therefore believe that the supposed motivation provided for combining Skinner with Perlman is flawed, and that one of skill in the art would not, in fact, be motivated to attempt this combination. Furthermore, if such combination could be made, it would fail to yield Applicants' Claims 11 and 14, 27 and 30, and/or 43 and 46, as no teaching of "a triggering event reaching a particular time of day" is found, where this triggering event pertains to "performing delayed processing" (Claim 11) or "selecting the delayed update mode based upon a time of day" (Claim 14). The Examiner is therefore respectfully requested to withdraw the 35 U. S. C. §103 rejection.

IV. Double-Patenting Rejection

Page 7, lines 14 - 16 of the Office Action state that Claims 7 - 16, 23 - 32, and 39 - 48 (i.e., all remaining claims of the present application) are rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over Claim 12 of U. S. Patent 6,505,200. A terminal disclaimer is submitted herewith, and the Examiner is respectfully requested to withdraw this rejection.

V. Conclusion

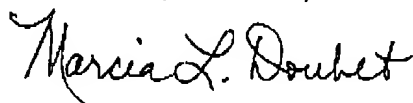
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Applicants respectfully request reconsideration of the pending rejected claims, withdrawal of all presently outstanding rejections, and allowance of all claims at an early date.

Respectfully submitted,



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